

AMENDED IN ASSEMBLY MARCH 23, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1913**

**Introduced by Assembly Members Cardenas, Cedillo,  
Firebaugh Correa, Firebaugh, Havice, Longville, Runner,  
Vincent, and Wright and Senators Hughes and Murray  
(Coauthor: Senator Polanco)**

February 11, 2000

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An act to add ~~Sections 186.27 and~~ *Section* 186.29 to, ~~and to~~  
~~repeal and add Section 186.26 of,~~ the Penal Code, and to  
amend Sections ~~625.3; 743, 746, and 749.22~~ 749.21, 749.22, and  
749.27 of, and to add Sections 654.5 and 654.7 to, the Welfare  
and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1913, as amended, Cardenas. Juveniles: crime  
prevention.

(1) Existing law ~~provides that any adult who utilizes  
physical violence to coerce, induce, or solicit a minor to  
actively participate in a criminal street gang, as defined, or  
who threatens a minor with physical violence on 2 or more  
occasions with a specified period with the intent to do the  
same, shall be punished by imprisonment in the state prison  
for one, 2, or 3 years. Existing law also provides that a minor  
who is 16 years of age or younger who violates these provisions  
is guilty of a misdemeanor, and that no person shall be  
convicted of violating these provisions on speech alone except  
upon a showing of a credible threat of violence, as defined.~~

~~This bill would delete the above described provisions and instead provide that any person who threatens another person with physical violence on two or more occasions with the intent to coerce, induce, or solicit any person to actively participate in a criminal street gang, or who uses physical violence to do the same, or who uses physical violence to coerce, induce, solicit, or otherwise prevent another person from leaving any criminal street gang, is punishable by imprisonment in the state prison for one, 2, or 3 years. The bill would also provide that if the person solicited, recruited, coerced, or threatened pursuant to these provisions is a minor, an additional and consecutive term of imprisonment of 6, 12, or 18 months shall be imposed. The bill would also provide that any person who actively solicits or recruits a minor on the grounds of, or within 1,000 feet of, a public or private elementary, vocational, junior high, or high school when that facility is open for classes, to actively participate in a criminal street gang, or with the intent that the person engage in a pattern of criminal gang activity or otherwise promote, further, or assist in any felonious conduct by members of the gang, shall be punishable by a term of imprisonment in the state prison of one, 2, or 3 years. By changing the definition and scope of an existing crime, and by creating new crimes, this bill would impose a state-mandated local program.~~

~~(2) This imposes penalties on persons who participate in criminal street gangs. Existing law also provides protection for witnesses to crimes under the Hertzberg-Leslie Witness Protection Act.~~

~~This bill would provide that, contingent upon an appropriation of \$5,000,000 in the state budget for this purpose, reasonable expenses for relocation shall be made available at the discretion of local law enforcement agencies to any person who is a victim of a criminal street gang or is a witness to a gang crime and is willing to testify in court. The bill would provide that local law enforcement agencies shall operate the program at the county level and seek reimbursement from the state.~~

~~(3) Existing law provides that a minor who is 14 years of age or older who is taken into custody by a peace officer for the personal use or possession of a firearm during the commission~~

~~or attempted commission of a felony shall not be released until that minor is brought before a judicial officer for a mental health assessment, as specified.~~

~~This bill would expand this requirement to also apply to minors taken into custody during the commission or attempted commission of specified offenses leading to a presumption that the defendant should be tried as an adult. By imposing new duties on law enforcement officers, this bill would impose a state-mandated local program.~~

(4)

(2) Existing law provides that in cases where a probation officer determines that a minor is or likely will be within the jurisdiction of the juvenile court, the officer may delineate an alternative program or programs, not to exceed 6 months, designed to adjust the situation bringing the minor within the juvenile court's jurisdiction by providing care and treatment for addiction, individual and family counseling, and other services, *except* as specified. Existing law provides that a court may, without adjudging the minor a ward of the court, continue any hearing on a petition for 6 months and order the minor to participate in these alternative programs and services.

This bill would provide that all minors designated as eligible for alternative supervision diversion pursuant to these provisions shall be enrolled in an appropriate accredited school program as a condition of program participation, be placed on a probation officer caseload of no more than 35 cases, be given a social history assessment as specified, and be provided with *alcohol and substance abuse services*, counseling, and mental health services, if appropriate. This bill would also provide that, subject to appropriation in the state budget, ~~\$35,000,000~~ \$30,000,000 shall be available to local community-based organizations ~~and~~, mental health agencies, *and other specified agencies* to provide services pursuant to these provisions.

The bill would also provide that eligible minors arrested for misdemeanor offenses shall be referred to the local probation department ~~or to a local juvenile crime diversion or gang prevention program under supervision of the local police or sheriff's department, which would be responsible for~~

~~referring the minor to the appropriate program and for confirming the minor completes the program requirements.~~

The bill would also provide that, subject to appropriation in the state budget, at least ~~\$100,000,000~~ \$75,000,000 shall be made available for support of local juvenile crime diversion and gang prevention programs, at least ~~\$50,000,000~~ \$10,000,000 shall be made available for utilization by local school district police departments for development of school-based juvenile crime diversion programs, as specified, and at least ~~\$20,000,000~~ \$25,000,000 shall be made available to support local juvenile crime diversion and gang prevention programs for predelinquent youth. *The bill would provide that, subject to appropriation in the state budget, at least \$20,000,000 and, shall be made available annually to develop or expand gender specific programs for female offenders and at least \$8,000,000 shall be made available annually for the support of local female juvenile crime diversion and gang prevention programs. The bill would also provide that, subject to appropriation in the state budget, at least \$6,000,000 shall be made available annually for the Abolish Chronic Truancy Program in Los Angeles County, and at least \$6,000,000 annually to the Communities in Schools program, as specified.* By imposing additional duties on local law enforcement personnel, this bill would impose a state-mandated local program.

~~(5)~~

(3) Existing law establishes a 3-year pilot project, subject to appropriation of funds therefor, to be known as the “Repeat Offender Prevention Project” for operation in specified counties, the purpose of which is to design, establish, implement, and evaluate a model program for the reduction of recidivism among juvenile offenders, as specified.

This bill would specify that this program is contingent upon the appropriation of \$220,000,000, remove the 3-year limitation, ~~and~~ make the program available to every county probation department in the state, *and require participating probation departments to evaluate the need for specific programs for female juvenile offenders.*

~~(6)~~

(4) Existing law provides that a minor shall be selected for participation in the Repeat Offender Prevention Project based on several specified factors, including that the minor is 15½ years of age or younger, has been declared a ward of the juvenile court for the first time, and is to be supervised by a probation department selected for participation in the project.

This bill would expand this factor to also include minors who have been designated as eligible for alternative supervision diversion for the first time.

(7)

(5) Existing law establishes the Juvenile Crime Enforcement and Accountability Challenge Grant Program, and provides that to be eligible for grants under this program, each county shall establish a multiagency juvenile justice coordinating council, as specified, that shall develop and implement a continuum of county-based responses to juvenile crime.

This bill would instead provide that each county that receives funding under this program or under the Repeat Offender Prevention Project must establish a multiagency coordinating council. *The bill would also declare the Legislature's intent to appropriate \$25,000,000 in the Budget Act of 2000 for funding of the program, as specified.*

(8)

(6) This bill would provide that contingent upon a funding allocation of \$3,500,000 in the state budget, the *California Youth Authority* Gang Violence Reduction Project shall be established in Los Angeles, Orange, Alameda, and San Joaquin Counties as specified.

(9)

(7) This bill would provide that contingent upon an allocation of \$3,800,000 in the state budget, the ~~California~~ *Department of the Youth Authority* shall establish a Gang Information and Supervision Agent project at each of its 17 parole districts.

(10)

(8) This bill would provide that contingent upon an allocation of \$2,300,000 in the state budget, the Gang Service Project shall be added to each parole unit in the state.

(11)

(9) This bill would provide that contingent upon an allocation of \$15,000,000 in the state budget, the ~~California Department of the Youth Authority~~ shall administer a bid process for allocation of the funds to local and community agencies that provide gang prevention services in local communities with a high number of commitments to the California Youth Authority.

(12)

(10) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 ~~SECTION 1. Section 186.26 of the Penal Code is~~  
2 ~~repealed.~~

3 ~~SEC. 2. Section 186.26 is added to the Penal Code, to~~  
4 ~~read:~~

5 ~~186.26. (a) Any person who threatens another person~~  
6 ~~with physical violence on two or more occasions with the~~  
7 ~~intent to coerce, induce, or solicit any person to actively~~  
8 ~~participate in a criminal street gang, as defined in~~  
9 ~~subdivision (f) of Section 186.22, shall be punished by~~

~~imprisonment in the state prison for one, two, or three years.~~

~~(b) Any person who uses physical violence to coerce, induce, or solicit another person to actively participate in any criminal street gang, as defined in subdivision (f) of Section 186.22, shall be punished by imprisonment in the state prison for one, two, or three years.~~

~~(c) Any person who uses physical violence to coerce, induce, solicit, or otherwise prevent another person from leaving any criminal street gang, as defined in subdivision (f) of Section 186.22 shall be punished by imprisonment in the state prison for one, two, or three years.~~

~~(d) If the person solicited, recruited, coerced, or threatened pursuant to subdivision (a), (b), or (c) is a minor, an additional term of imprisonment of 6, 12, or 18 months shall be imposed in addition and consecutive to the penalty described for a violation of these subdivisions.~~

~~(e) Nothing in this section shall be construed to limit prosecution under any other provision of law.~~

~~SEC. 3. Section 186.27 is added to the Penal Code, to read:~~

~~186.27. Any person who actively solicits or recruits a minor on the grounds of, or within 1,000 feet of, a public or private elementary, vocational, junior high, or high school when that facility is open for classes, to actively participate in a criminal street gang, as defined in subdivision (f) of Section 186.22 or with the intent that the person solicited or recruited engage in a pattern of criminal gang activity, as defined in subdivision (e) of Section 186.22, or with the intent that the person solicited or recruited promote, further, or assist in any felonious conduct by members of the criminal street gang, shall be punishable by a term of imprisonment in the state prison for one, two, or three years.~~

~~SEC. 4.~~

~~SECTION 1. Section 186.29 is added to the Penal Code, to read:~~

~~186.29. Contingent upon an appropriation of five million dollars (\$5,000,000) in the state budget for this purpose, reasonable expenses for relocation shall be made~~

1 available to a person who is a victim of a criminal street  
2 gang or a witness to a gang crime and is willing to testify  
3 in court, if in the judgment of the applicable local law  
4 enforcement agency a credible threat of physical harm  
5 has been made against the victim or witness, or the  
6 immediate family thereof, or where the victim or witness  
7 otherwise reasonably fears for his or her safety or the  
8 safety of his or her immediate family. Sheriff's  
9 departments and local police agencies shall operate the  
10 program at the county level and shall seek  
11 reimbursement from the state.

12 ~~SEC. 5. Section 625.3 of the Welfare and Institutions~~  
13 ~~Code is amended to read:~~

14 ~~625.3. Notwithstanding Section 625, a minor who is 14~~  
15 ~~years of age or older and who is taken into custody by a~~  
16 ~~peace officer for the personal use or possession of a~~  
17 ~~firearm during the commission or attempted commission~~  
18 ~~of a felony or any offense listed in subdivision (b) of~~  
19 ~~Section 707 shall not be released until that minor is~~  
20 ~~brought before a judicial officer. At the time the minor is~~  
21 ~~brought before a judicial officer, the judicial officer shall~~  
22 ~~assess the minor's mental health status, and shall order the~~  
23 ~~minor to continue to be detained and a mental health~~  
24 ~~evaluation conducted in accordance with Article 3~~  
25 ~~(commencing with Section 6550) of Chapter 2 of Part 2~~  
26 ~~of Division 6, if the judicial officer concludes that the~~  
27 ~~minor poses a danger to the safety of himself or herself,~~  
28 ~~or to the public. Any firearm found on the person of a~~  
29 ~~minor subject to this section shall be confiscated.~~

30 ~~SEC. 6.~~

31 ~~SEC. 2. Section 654.5 is added to the Welfare and~~  
32 ~~Institutions Code, to read:~~

33 ~~654.5. (a) All minors designated as eligible for~~  
34 ~~alternative supervision diversion pursuant to Section 654~~  
35 ~~or 654.2 shall:~~

36 ~~(1) Be enrolled and attending an appropriate~~  
37 ~~accredited school program as a condition of program~~  
38 ~~participation.~~

39 ~~(2) Be placed on a probation officer caseload of no~~  
40 ~~more than 35 assigned cases for at least six months.~~



(3) Be given a social history assessment which includes school evaluations, mental health assessment, and family background history.

~~(4) Be provided counseling and mental health services, if appropriate.~~

*(4) Be provided alcohol and substance abuse services, mental health services, and other types of services, including counseling dealing with school related problems, if appropriate.*

(b) Subject to appropriation in the state budget, an appropriation of ~~thirty-five million dollars (\$35,000,000)~~ *thirty million dollars (\$30,000,000)* shall be available to local community-based organizations ~~and mental health agencies to provide services to minors, mental health agencies, and agencies that provide alcohol and substance abuse programs so that they may provide services to minors~~ eligible for alternative supervision diversion pursuant to Section 654 or 654.2. County probation departments shall allocate these funds on a request for proposal basis.

~~SEC. 7.~~

SEC. 3. Section 654.7 is added to the Welfare and Institutions Code, to read:

654.7. (a) Minors who are arrested for committing a misdemeanor offense or attempted commission of a misdemeanor offense and who are eligible for alternative supervision diversion pursuant to Section 654 or 654.2 shall be referred to the local probation department ~~or to a local juvenile crime diversion or gang prevention programs under the supervision of the local police or sheriff's department.~~

~~(b) If the minor is not referred to the local probation department, the local police or sheriff's department will be responsible for referring the minor to the appropriate alternative supervision program and confirming that the minor completes the program requirements.~~

~~(c)~~

(b) Subject to appropriation in the state budget, the State of California shall make at least ~~one hundred million dollars (\$100,000,000)~~ *seventy-five million dollars*

1 (\$75,000,000) available annually for support of local  
2 juvenile crime diversion and gang prevention programs.  
3 These funds shall be administered by the ~~Department~~  
4 *Board* of Corrections and allocated and distributed  
5 through a request for proposal process. A local law  
6 enforcement agency shall be the lead applicant.

7 ~~(d)~~

8 (c) Subject to appropriation in the state budget, the  
9 State of California shall make at least ~~fifty million dollars~~  
10 ~~(\$50,000,000)~~ *ten million dollars (\$10,000,000)* available  
11 annually for utilization by local school district police  
12 departments for the purpose of developing school-based  
13 juvenile crime diversion programs. These funds shall be  
14 administered by the Department of Corrections and  
15 allocated and distributed through a request for proposal  
16 process. Eighty percent of the funds shall be allocated for  
17 law enforcement personnel costs, and the remainder shall  
18 be used for services and support and for computer  
19 technology.

20 ~~(e)~~

21 (d) Subject to appropriation in the state budget, the  
22 State of California shall make at least ~~twenty million~~  
23 ~~dollars (\$20,000,000)~~ *twenty-five million dollars*  
24 *(\$25,000,000)* available annually to support local juvenile  
25 crime diversion and gang prevention programs for  
26 predelinquent youth. These funds shall be administered  
27 by the ~~Department~~ *Board* of Corrections and allocated  
28 and distributed through a request for proposal process. A  
29 local law enforcement agency or probation department  
30 shall be the lead applicant.

31 (e) *Subject to appropriation in the state budget the*  
32 *State of California shall make at least twenty million*  
33 *dollars (\$20,000,000) available annually to probation*  
34 *departments to develop or expand gender specific*  
35 *programs for female offenders. These programs shall*  
36 *include, but shall not be limited to, female juvenile crime*  
37 *diversion programs, female juvenile gang prevention*  
38 *programs, and female juvenile offender camp programs.*

39 *These funds shall be administered by the Board of*  
40 *Corrections and shall be allocated and distributed*

1 through a request for proposal process. The probation  
2 department shall be the lead applicant.

3 (f) Subject to appropriation in the state budget, the  
4 State of California shall make at least eight million dollars  
5 (\$8,000,000) available annually for the support of local  
6 female juvenile crime diversion and female juvenile gang  
7 prevention programs. These funds shall be administered  
8 by the Board of Corrections and allocated and distributed  
9 through a request for proposal process. A local law  
10 enforcement agency or a county probation department  
11 shall be the lead applicant.

12 (g) Subject to appropriation in the state budget, the  
13 State of California shall make at least six million dollars  
14 (\$6,000,000) available annually for the Abolish Chronic  
15 Truancy (ACT) program. The current program is a  
16 partnership of the Los Angeles District Attorney's office  
17 and schools in Los Angeles County with its goals to reduce  
18 chronic truancy in elementary schools, through parent  
19 and child accountability and addressing attendance  
20 programs at the earliest possible time before the child's  
21 behavior is ingrained and while the parent still exercises  
22 control over the child (pre-high school), and long-term  
23 reduction of delinquency, adult criminality, and  
24 joblessness.

25 (h) Subject to appropriation in the state budget, the  
26 State of California shall make at least six million dollars  
27 (\$6,000,000) available annually to the Communities in  
28 Schools (CIS) program. The funds shall be administered  
29 by the Board of Corrections.

30 ~~SEC. 8.~~

31 SEC. 4. Section 743 of the Welfare and Institutions  
32 Code is amended to read:

33 743. Contingent upon the appropriation of two  
34 hundred twenty million dollars (\$220,000,000) annually,  
35 the "Repeat Offender Prevention Project" shall be made  
36 available to every county probation department in this  
37 state unless the board of supervisors of one or more of  
38 these counties adopts a resolution to the effect it will not  
39 participate in the project, each of which shall design,  
40 establish, implement, and evaluate a model program to

1 meet the needs of a juvenile offender population  
2 identified as having the potential to become repeat  
3 serious offenders utilizing the findings of exploratory  
4 studies conducted in Orange County between 1989 and  
5 1993 by the research staff of the Orange County Probation  
6 Department which identified certain minors who were  
7 designated as the “8 percent” population. The main goal  
8 of this program is to develop and implement a  
9 cost-effective multiagency, multidisciplinary program  
10 which targets youth displaying behavior that may lead to  
11 delinquency and recidivism. *Every county probation*  
12 *department that participates in this program shall*  
13 *evaluate the need for including gender specific programs*  
14 *for female juvenile offenders as part of this program.*

15 ~~SEC. 9.~~

16 *SEC. 5.* Section 746 of the Welfare and Institutions  
17 Code is amended to read:

18 746. A minor shall be selected for participation in a  
19 program established pursuant to this article based upon  
20 the following factors:

21 (a) The minor is 15½ years of age or younger, has  
22 either been declared a ward of the juvenile court  
23 pursuant to Section 601 or 602 for the first time or has  
24 been designated as eligible for alternative supervision  
25 diversion pursuant to Section 654 or 654.2 for the first  
26 time, and is to be supervised by a probation department  
27 selected for participation in this project.

28 (b) The minor has been evaluated and found to have  
29 at least three of the following factors, that place the minor  
30 at a significantly greater risk of becoming a chronic  
31 juvenile or adult offender:

32 (1) School behavior and performance problems. This  
33 shall include at least one of the following: attendance  
34 problems; school suspension or expulsion; or failure in two  
35 or more academic classes during the previous six months  
36 or comparable academic period.

37 (2) Family problems. These shall include at least one  
38 of the following: poor parental supervision or control;  
39 documented circumstances of domestic violence; child

1 abuse or neglect; or family members who have engaged  
2 in criminal activities.

3 (3) Substance abuse. This shall include any regular use  
4 of alcohol or drugs by the minor, other than  
5 experimentation.

6 (4) High-risk predelinquent behavior. This shall  
7 include at least one of the following: a pattern of stealing;  
8 chronic running away from home; or gang membership  
9 or association.

10 (5) The minor matches the at-risk profile for  
11 becoming a chronic and repeat juvenile offender  
12 according to the criteria developed by the Multi-Agency  
13 At-Risk Youth Committee (MAARYC).

14 ~~SEC. 10.~~

15 *SEC. 6. Section 749.21 of the Welfare and Institutions*  
16 *Code is amended to read:*

17 749.21. The Juvenile Crime Enforcement and  
18 Accountability Challenge Grant Program shall be  
19 administered by the Board of Corrections for the purpose  
20 of reducing juvenile crime and delinquency. This  
21 program shall award grants *based on criteria developed*  
22 *by the Board of Corrections and on a competitive basis*  
23 ~~following request-for-proposal evaluation standards and~~  
24 ~~guidelines developed by the Board of Corrections, as~~  
25 ~~authorized by this article,~~ to counties that (a) develop  
26 and implement a comprehensive, multiagency local  
27 action plan that provides for a continuum of responses to  
28 juvenile crime and delinquency, including collaborative  
29 ways to address local problems of juvenile crime; and (b)  
30 demonstrate a collaborative and integrated approach for  
31 implementing a system of swift, certain, graduated  
32 responses, and appropriate sanctions for at-risk youth and  
33 juvenile offenders.

34 *SEC. 7. Section 749.22 of the Welfare and Institutions*  
35 *Code is amended to read:*

36 749.22. Counties that receive funding pursuant to  
37 Section 743 or from the Juvenile Crime Enforcement and  
38 Accountability Challenge Grant Program shall establish  
39 a multiagency juvenile justice coordinating council that  
40 shall develop and implement a continuum of

1 county-based responses to juvenile crime. The  
2 coordinating councils shall, at a minimum, include the  
3 chief probation officer, as chair, and one representative  
4 each from the district attorney's office, the public  
5 defender's office, the sheriff's department, the board of  
6 supervisors, the department of social services, the  
7 department of mental health, a community-based drug  
8 and alcohol program, a city police department, the  
9 county office of education or a school district, and an  
10 at-large community representative. In order to carry out  
11 its duties pursuant to this section, a coordinating council  
12 shall also include representatives from nonprofit  
13 community-based organizations providing services to  
14 minors. The board of supervisors shall be informed of  
15 community-based organizations participating on a  
16 coordinating council. The coordinating councils shall  
17 develop a comprehensive, multiagency plan that  
18 identifies the resources and strategies for providing an  
19 effective continuum of responses for the prevention,  
20 intervention, supervision, treatment, and incarceration  
21 of male and female juvenile offenders, including  
22 strategies to develop and implement locally based or  
23 regionally based out-of-home placement options for  
24 youths who are persons described in Section 602.  
25 Counties may utilize community punishment plans  
26 developed pursuant to grants awarded from funds  
27 included in the 1995 Budget Act to the extent the plans  
28 address juvenile crime and the juvenile justice system or  
29 local action plans previously developed for this program.  
30 The plan shall include, but not be limited to, the following  
31 components:

32 (a) An assessment of existing law enforcement,  
33 probation, education, mental health, health, social  
34 services, drug and alcohol and youth services resources  
35 which specifically target at-risk juveniles, juvenile  
36 offenders, and their families.

37 (b) An identification and prioritization of the  
38 neighborhoods, schools, and other areas in the  
39 community that face a significant public safety risk from  
40 juvenile crime, such as gang activity, daylight burglary,

1 late-night robbery, vandalism, truancy, controlled  
2 substance sales, firearm-related violence, and juvenile  
3 alcohol use within the council's jurisdiction.

4 (c) A local action plan (LAP) for improving and  
5 marshaling the resources set forth in subdivision (a) to  
6 reduce the incidence of juvenile crime and delinquency  
7 in the areas targeted pursuant to subdivision (b) and the  
8 greater community. The councils shall prepare their  
9 plans to maximize the provision of collaborative and  
10 integrated services of all the resources set forth in  
11 subdivision (a), and shall provide specified strategies for  
12 all elements of response, including prevention,  
13 intervention, suppression, and incapacitation, to provide  
14 a continuum for addressing the identified male and  
15 female juvenile crime problem, and strategies to develop  
16 and implement locally based or regionally based  
17 out-of-home placement options for youths who are  
18 persons described in Section 602.

19 (d) Develop information and intelligence-sharing  
20 systems to ensure that county actions are fully  
21 coordinated, and to provide data for measuring the  
22 success of the grantee in achieving its goals. The plan shall  
23 develop goals related to the outcome measures that shall  
24 be used to determine the effectiveness of the program.

25 (e) Identify outcome measures which shall include,  
26 but not be limited to, the following:

27 (1) The rate of juvenile arrests.

28 (2) The rate of successful completion of probation.

29 (3) The rate of successful completion of restitution and  
30 court-ordered community service responsibilities.

31 ~~SEC. 11.~~

32 *SEC. 8. Section 749.27 of the Welfare and Institutions*  
33 *Code is amended to read:*

34 749.27. Funding for the Juvenile Crime Enforcement  
35 and Accountability Challenge Grant Program for grant  
36 awards ~~made before July 1, 1998~~, shall be provided from  
37 the amount appropriated in Item 5430-101-0001 of the  
38 Budget Act of ~~1996~~ 2000. Up to 5 percent of the amount  
39 appropriated in Item 5430-101-0001 of the Budget Act of  
40 ~~1996~~ 2000 shall be transferred upon the approval of the



1 Director of Finance, to Item 5430-001-0001 for  
2 expenditure as necessary for the board to administer this  
3 program, including technical assistance to counties and  
4 the development of an evaluation component.

5 *It is the intent of the Legislature to appropriate*  
6 *twenty-five million dollars (\$25,000,000) in the Budget*  
7 *Act of 2000 for funding the Juvenile Crime Enforcement*  
8 *and Accountability Challenge Grant Program. Up to 5*  
9 *percent of the amount appropriated in the Budget Act of*  
10 *2000 for the Juvenile Crime Enforcement and*  
11 *Accountability Challenge Grant Program shall be*  
12 *transferred, upon the approval of the Director of*  
13 *Finance, to the Board of Corrections, as necessary for the*  
14 *board to administer this program, provide technical*  
15 *assistance to counties, and to develop and monitor the*  
16 *evaluation component of this program.*

17 SEC. 9. The Legislature finds and declares the  
18 following:

19 (a) ~~The—California~~ Department of the Youth Authority  
20 successfully operated the Gang Violence Reduction  
21 Project in the East Los Angeles area for many years. This  
22 project received national, state, and local recognition for  
23 the innovative and effective impact the project had on  
24 gang violence. The two key components attributed to the  
25 program's success were that the program was operated  
26 and managed by the Youth Authority parole agents who  
27 provided essential credibility with other law  
28 enforcement agents and the program operated on a dual  
29 mission, which was to provide critical intelligence to law  
30 enforcement regarding gang activity and mitigate or  
31 prevent gang conflicts that lead to violence. Contingent  
32 on a funding allocation of three million five hundred  
33 thousand dollars (\$3,500,000) in the state budget, the  
34 California Youth Authority Gang Violence Reduction  
35 Project shall be established in four counties throughout  
36 the state, Los Angeles, Orange, Alameda, and San Joaquin  
37 Counties, to provide eight hundred fifty thousand dollars  
38 (\$850,000) per project site to include the cost of Youth  
39 Authority personnel, equipment, and services.



1 (b) The Department of *the* Youth Authority currently  
2 supervises gang-involved parolees throughout 17 parole  
3 offices;; however, these parolees are not consolidated into  
4 specified gang caseloads. A Gang Information  
5 Supervision Agent position should be established in each  
6 parole district throughout the state. The Gang  
7 Information Supervision Agent would allow for greater  
8 coordination between law enforcement and probation  
9 officers for high risk gang involved parolees. Contingent  
10 on an allocation of three million eight hundred thousand  
11 dollars (\$3,800,000) in the state budget, the California  
12 Youth Authority shall establish the Gang Information and  
13 Supervision Agent project at each of its 17 parole districts.

14 (c) The Department of *the* Youth Authority currently  
15 operates two Gang Service Projects in the state. This  
16 program provides additional supervision to gang  
17 identified youth as well as providing a designated amount  
18 of community service hours. Youth Correctional  
19 Counselor positions should be added to each parole unit  
20 to provide the additional supervision and establish the  
21 community service projects. Contingent on an allocation  
22 of two million three hundred thousand dollars  
23 (\$2,300,000) in the state budget, the Gang Service Project  
24 shall be added to each parole unit in the state.

25 (d) The Department of *the* Youth Authority currently  
26 administers the Youth Centers and Youth Shelters Bond  
27 Act. The bond act, together with additional  
28 appropriations, has allowed the department to distribute  
29 approximately fifty million dollars (\$50,000,000) in capital  
30 improvement costs to build or acquire youth centers and  
31 youth shelters throughout California. This has been a  
32 major contribution to providing a safe and appropriate  
33 place for at-risk youth. However, adequate operating  
34 funds for these centers has not been provided.  
35 Contingent on an allocation of fifteen million dollars  
36 (\$15,000,000) in the state budget, the Department of the  
37 Youth Authority shall administer a bid process for  
38 allocation of these funds to local and community agencies  
39 that provide gang prevention services in local

1 communities with a high number of commitments to the  
2 ~~California~~ *Department of the Youth Authority*.

3 ~~SEC. 12.~~

4 *SEC. 10.* No reimbursement is required by this act  
5 pursuant to Section 6 of Article XIII B of the California  
6 Constitution for certain costs that may be incurred by a  
7 local agency or school district because in that regard this  
8 act creates a new crime or infraction, eliminates a crime  
9 or infraction, or changes the penalty for a crime or  
10 infraction, within the meaning of Section 17556 of the  
11 Government Code, or changes the definition of a crime  
12 within the meaning of Section 6 of Article XIII B of the  
13 California Constitution.

14 However, notwithstanding Section 17610 of the  
15 Government Code, if the Commission on State Mandates  
16 determines that this act contains other costs mandated by  
17 the state, reimbursement to local agencies and school  
18 districts for those costs shall be made pursuant to Part 7  
19 (commencing with Section 17500) of Division 4 of Title  
20 2 of the Government Code. If the statewide cost of the  
21 claim for reimbursement does not exceed one million  
22 dollars (\$1,000,000), reimbursement shall be made from  
23 the State Mandates Claims Fund.

